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PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U-S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional)

KM-MI

First named inventor: MANSMANN

Application No.: 09/544, 341

Art Unit:

RECEIVED

MAY 1 4 2002

Fled: April 6, 2000

Examiner:

OFFICE OF PETITIONS

THE SEMI-PERMEABLE MEMBRANES TO ASSIST

IN CARTILAGE REPAIR

Attention: Office of Petitions

Assistant Commissioner for Patents

**Box DAC** 

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions

Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

#### APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

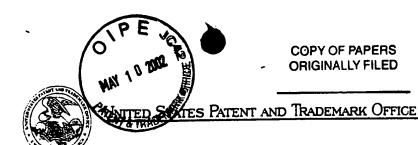
- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee —required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee  Small entity-fee \$640 (37 CFR 1.17(m)). Applicant clair	ns small entity	status. See 37 CFR 1.27.
Other than small entity - fee \$(37 CFR 1.17(m))		
	05/13/2002 GTEFFERA 00000079 09544341	
2. Reply and/or fee	01 FC:241	640.00 BP
A. The reply and/or fee to the above-noted Office action in		
th <u>e f</u> orm of		(identify type of reply):
has been filed previously on		•
🔀 is enclosed herewith.		
B. The issue fee of \$		
has been paid previously on	· · · · · · · · · · · · · · · · · · ·	
is enclosed herewith.		



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3. T	erminal disclaimer with disclaimer fee		
Z	Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.		
	A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).		
fil Tr ab	TATEMENT: The entire delay in filing the required reply from the due date for the required reply until the ling of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and address and address of the delay require additional information if there is a question as to whether either the bandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 11.03(c), subsections (III)(C) and (D))].		
	WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
	30 April 2002		
Tala			
Num	phone properties D.  Celly   Reg. 30,650 Typed or printed name		
	11939 Manchester #403		
	Address		
Encl	losures: Fee Payment St. Louis MO 6313/		
	Reply		
	☐ Terminal Disclaimer Form		
	Additional sheets containing statements establishing unintentional delay		
	☐ Other:		
	CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]		
	I hereby certify that this correspondence is being:		
	deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.		
ļ	transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.		
	30 April 200 2 Patrick D/Colls Signature		
	Patrick D. ICelly  Type or printed name of person signing certificate		



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# OFFICE OF PETITIONS

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

FIRST NAMED APPLICANT ATTY. DOCKET NO./TITLE FILING DATE APPLICATION NUMBER

09/544,341

04/06/2000

Kevin A. Mansmann, M.D.

KM-M1

Patrick D. Kelly 11939 Manchester #403 St. Louis, MO 63131

**CONFIRMATION NO. 8036** ABANDONMENT/TERMINATION LETTER \*OC000000007315146\*

Date Mailed: 01/16/2002

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/26/2000.

No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

A capy of this notice MUST be returned with the reply.

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Initial Patent Examination Division (703) 308-1202

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